

## Exhibit B: Defendants' Proposed Constructions and Evidence

#	Claim Term	Defendants' Proposed Construction	Defendants' Supporting Evidence
2	<p>"sequence of [two or more] routines"</p> <p>"one or more routines"</p> <p>"routines in the sequence of routines"</p> <p>'683 Patent: Claims 1, 4, 5, 8, 9, 24</p> <p>'790 Patent: Claims 1, 3, 4, 5, 8, 10, 12, 15, 17, 18</p> <p>'104 Patent: Claims 1, 3, 5, 10, 12, 13, 16</p> <p>'780 Patent: Claims 1, 2, 3, 16, 20</p> <p>'839 Patent: Claim 1</p> <p>'378 Patent: Claims 1, 2, 3, 16, 17, 20</p>	<p>"[two or more] software routines arranged in a sequence that was not established in a chain of modules connected before receiving a first packet of the message"</p>	<p><u>'683 Patent:</u> Abstract; 1:45-2:11; 2:42-53; 2:61-3:12; 3:14-38; 3:39-67; 4:1-44; 4:45-5:5; 5:24-31; 5:32-6:3; 8:38-9:32; Figs. 1, 4, 8.</p> <p><u>'683 Patent Prosecution History (IMPL GRP.B 00005310-640):</u> Jun. 6, 2013 Preliminary Amendment, pp. 3-7. Jun. 6, 2013 Applicant Remarks, pp. 9-12. Dec. 6, 2013 Examiner Interview Summary Record, Applicant Initiated Interview Summary</p> <p><u>'104 Patent Prosecution History (IMPL GRP.B 00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks dated, p.10.</p> <p><u>Reexamination Control No. 90/010,356 ('163 Patent):</u> Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 11-15, 18-21, 25-33. Oct. 21, 2009 Interview Summary (IMPL 066871-75). Oct. 21, 2009 Examiner Interview Slide Presentation (IMPL 066876-93), slides 2-3, 5-9, 12. December 18, 2009 Amendment and Response to Office Action Mailed December 4, 2009 (IMPL 066818-34), pp. 3, 5, 8, 10-12 Feb. 4, 2010 Applicant Initiated Interview Request Form (IMPL 66726-31). Feb. 8, 2010 Amendment and Response to Advisory Action Mailed January 21, 2010 and Summary of February 4, 2010 Interview (IMPL 066702-22), pp. 2-5, 7-8, 10-11, 12-17.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 1, 5-8, 17-19, 26-28. Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 1, 5-9, 29-31, 34-35.</p>

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			<p><u>Reexamination Control No. 95/000,660 ('875 Patent):</u>  Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 2, 4-10, 17-19.  Feb. 21, 2013 Comments to December 21, 2012 Action Closing Prosecution (IMPL046677-709), pp. 1-3, 11-15.</p> <p><i>Implicit v. F5 Networks, Inc.</i>, No. 314-cv-02856 (N.D. Cal.):  “Sequence/List of routines, therefore, is construed as “a sequence [list] of software routines that was not identified (<i>i.e.</i>, configured) prior to receiving a first packet of the message.”</p> <p><i>Implicit v. Trend Micro Incorporated</i>, No. 6:17-cv-00080 (E.D. Tex.):  “sequence of routines” means “an ordered arrangement of software routines that was not identified (<i>i.e.</i>, configured) prior to receiving a first packet of the message”; and “sequence of two or more routines” means “an ordered arrangement of two or more software routines that was not identified (<i>i.e.</i>, configured) prior to receiving a first packet of the message.”  “list of conversion routines” means “an ordered arrangement of software routines for changing the form of data and that was not identified (<i>i.e.</i>, configured) prior to receiving a first packet of the message.”</p> <p><i>Implicit v. Huawei (Palo Alto Networks)</i>, No. 6:17-cv-00182 (E.D. Tex.) (agreed construction): “an ordered arrangement of [two or more] software routines that was not identified (<i>i.e.</i>, configured) prior to receiving a first packet of the message”</p> <p><i>Implicit v. NetScout Systems</i>, No. 2:18-cv-53-JRG (E.D. Tex.): “sequence of [two or more] routines” construed to mean “an ordered arrangement of [two or more] software routines that was not selected from a set of arrangements created before receiving a first packet of the message”; “list of conversion routines” construed to mean “an ordered arrangement of</p>

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			<p>software conversion routines that was not selected from a set of arrangements created before receiving a first packet of the message.”</p> <p><i>Implicit v. Juniper (F5 Networks, Inc.)</i>, No. C 10-3746 (N.D. Cal.): “non-predefined sequence of components” construed to mean “a sequence of software routines that was not identified before the first packet of a message was received.”</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>
3	<p>“list of conversion routines”</p> <p>’683 Patent: Claim 1</p>	<p>“software conversion routines arranged in a sequence that was not established in a chain of modules connected before receiving a first packet of the message”</p>	<p><u>’683 Patent:</u> Abstract; 1:45-2:11; 2:42-53; 2:61-3:12; 3:14-38; 3:39-67; 4:1-44; 4:45-5:5; 5:24-31; 5:32-6:3; 8:38-9:32; Figs. 1, 4, 8.</p> <p><u>’683 Patent Prosecution History (IMPL_GRP.B_00005310-640):</u> Jun. 6, 2013 Preliminary Amendment, pp. 3-7. Jun. 6, 2013 Applicant Remarks, pp. 9-12. Dec. 6, 2013 Examiner Interview Summary Record, Applicant Initiated Interview Summary</p> <p><u>’104 Patent Prosecution History (IMPL_GRP.B_00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks dated, p.10.</p> <p><u>Reexamination Control No. 90/010,356 (’163 Patent):</u> Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 11-15, 18-21, 25-33. Oct. 21, 2009 Interview Summary (IMPL 066871-75).</p>

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			<p>Oct. 21, 2009 Examiner Interview Slide Presentation (IMPL 066876-93), slides 2-3, 5-9, 12.</p> <p>December 18, 2009 Amendment and Response to Office Action Mailed December 4, 2009 (IMPL 066818-34), pp. 3, 5, 8, 10-12</p> <p>Feb. 4, 2010 Applicant Initiated Interview Request Form (IMPL 66726-31).</p> <p>Feb. 8, 2010 Amendment and Response to Advisory Action Mailed January 21, 2010 and Summary of February 4, 2010 Interview (IMPL 066702-22), pp. 2-5, 7-8, 10-11, 12-17.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u></p> <p>Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 1, 5-8, 17-19, 26-28.</p> <p>Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 1, 5-9, 29-31, 34-35.</p> <p><u>Reexamination Control No. 95/000,660 ('875 Patent):</u></p> <p>Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 2, 4-10, 17-19.</p> <p>Feb. 21, 2013 Comments to December 21, 2012 Action Closing Prosecution (IMPL046677-709), pp. 1-3, 11-15.</p> <p><i>Implicit v. F5 Networks, Inc.</i>, No. 314-cv-02856 (N.D. Cal.):</p> <p>“Sequence/List of routines, therefore, is construed as “a sequence [list] of software routines that was not identified (<i>i.e.</i>, configured) prior to receiving a first packet of the message.”</p> <p><i>Implicit v. Trend Micro Incorporated</i>, No. 6:17-cv-00080 (E.D. Tex.):</p> <p>“sequence of routines” means “an ordered arrangement of software routines that was not identified (<i>i.e.</i>, configured) prior to receiving a first packet of the message”; and “sequence of two or more routines” means “an ordered</p>

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			<p>arrangement of two or more software routines that was not identified (i.e., configured) prior to receiving a first packet of the message.”</p> <p>“list of conversion routines” means “an ordered arrangement of software routines for changing the form of data and that was not identified (i.e., configured) prior to receiving a first packet of the message.”</p> <p><i>Implicit v. Huawei (Palo Alto Networks)</i>, No. 6:17-cv-00182 (E.D. Tex.) (agreed construction): “an ordered arrangement of [two or more] software routines that was not identified (i.e., configured) prior to receiving a first packet of the message”</p> <p><i>Implicit v. NetScout Systems</i>, No. 2:18-cv-53-JRG (E.D. Tex.): “sequence of [two or more] routines” construed to mean “an ordered arrangement of [two or more] software routines that was not selected from a set of arrangements created before receiving a first packet of the message”; “list of conversion routines” construed to mean “an ordered arrangement of software conversion routines that was not selected from a set of arrangements created before receiving a first packet of the message.”</p> <p><i>Implicit v. Juniper (F5 Networks, Inc.)</i>, No. C 10-3746 (N.D. Cal.): “non-predefined sequence of components” construed to mean “a sequence of software routines that was not identified before the first packet of a message was received.”</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>

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5	<p>“convert one or more packets having a TCP format into a different format”</p> <p>“convert at least one or more of the packets of the message into a different format”</p> <p>“convert packets having a TCP format into a different format”</p> <p>'683 Patent: Claim 1 '790 Patent: Claims 1, 8, 15 '780 Patent: Claims 1, 16 '839 Patent: Claim 1 '378 Patent: Claims 1, 16</p>	<p>“convert the outermost header structure of the packet(s) from TCP to another type of header structure”</p>	<p><u>'683 Patent:</u> 1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.</p> <p><u>'683 Patent Prosecution History (IMPL_GRP.B_00005310-640):</u> Jun. 3, 2013 Preliminary Amendment and Remarks, pp. 3-7.</p> <p><u>'104 Patent Prosecution History (IMPL_GRP.B_00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks, p.10.</p> <p><u>Reexamination Control No. 90/010,356 ('163 Patent):</u> Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 066876-93), pp. 14-15, 21-22, 28.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 8, 17-19, 19-21, 29-31. Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 4-5, 7-13, 18-20, 32, 37.</p> <p><u>Reexamination Control No. 95/000,660:</u> Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 7-9, 17-19, 21-22, 25-26, 35. Feb. 21, 2013 Comments to December 21, 2012 Action Closing Prosecution (IMPL046677-709), pp. 2-3, 5, 8-9, 11-15, 21-22, 26-28.</p> <p><i>Implicit v. NetScout Systems</i>, No. 2:18-cv-53-JRG (E.D. Tex.): “convert one or more packets [having a TCP format/of the message] into a different format” construed as “convert the outermost header structure of the packet(s) from TCP to another type of structure</p>

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6	<p>"convert one or more packets in a transport layer format into a different format"</p> <p>'683 Patent: Claim 10</p>	<p>"convert the outermost header structure of the packet(s) from a transport layer protocol header to another type of header structure"</p>	<p><u>'683 Patent:</u> 1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.</p> <p><u>'683 Patent Prosecution History (IMPL GRP.B 00005310-640):</u> Jun. 3, 2013 Preliminary Amendment and Remarks, pp. 3-7.</p> <p><u>'104 Patent Prosecution History (IMPL GRP.B 00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks, p.10.</p> <p><u>Reexamination Control No. 90/010,356 ('163 Patent):</u> Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 14-15, 21-22, 28.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 8, 17-19, 19-21, 29-31. Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 4-5, 7-13, 18-20, 32, 37.</p> <p><u>Reexamination Control No. 95/000,660:</u> Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 7-9, 17-19, 21-22, 25-26, 35. Feb. 21, 2013 Comments to December 21, 2012 Action Closing Prosecution (IMPL046677-709), pp. 2-3, 5, 8-9, 11-15, 21-22, 26-28.</p>

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			<p><i>Implicit v. NetScout Systems</i>, No. 2:18-cv-53-JRG (E.D. Tex.): “convert one or more packets [having a TCP format/of the message] into a different format” construed as “convert the outermost header structure of the packet(s) from TCP to another type of structure</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>
7	<p>“convert packets of the different format into another format”</p> <p>'683 Patent: Claim 2 '790 Patent: Claim 3</p>	<p>“convert each packet's outermost header structure from the different protocol header into another type of header structure”</p>	<p><u>'683 Patent:</u> 1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.</p> <p><u>'683 Patent Prosecution History (IMPL_GRP.B_00005310-640):</u> Jun. 3, 2013 Preliminary Amendment and Remarks, pp. 3-7.</p> <p><u>'104 Patent Prosecution History (IMPL_GRP.B_00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks, p.10.</p> <p><u>Reexamination Control No. 90/010,356 ('163 Patent):</u> Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 14-15, 21-22, 28.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 8, 17-19, 19-21, 29-31. Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 4-5, 7-13, 18-20, 32, 37.</p>



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8	<p>“execute a Transmission Control Protocol (TCP)”</p> <p>“perform a Transmission control Protocol (TCP)”</p> <p>’683 Patent: Claim 1  ’790 Patent: Claims 1, 15  ’104 Patent: Claims 1, 16  ’780 Patent: Claims 1, 16  ’839 Patent: Claim 1  ’378 Patent: Claims 1, 16</p>	<p>“operate on one or more packets whose outermost header is a TCP header”</p>	<p><u>’683 Patent:</u>  1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.</p> <p><u>’683 Patent Prosecution History (IMPL_GRP.B_00005310-640):</u>  Jun. 3, 2013 Preliminary Amendment and Remarks, pp. 3-7.</p> <p><u>’104 Patent Prosecution History (IMPL_GRP.B_00003200-3478):</u>  Feb. 22, 2016 Preliminary Amendment and Remarks, p.10.</p> <p><u>Reexamination Control No. 90/010,356 (’163 Patent):</u>  Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 14-15, 21-22, 28.</p>

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9	“executable to perform a Transmission Control Protocol (TCP)”  '790 Patent: Claim 8	“operable on one or more packets whose outermost header is a TCP header”	<u>'683 Patent:</u> 1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.

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10	<p>“execute a [second/different] protocol”</p> <p>“execute a [third/different] protocol”</p> <p>’683 Patent: Claim 2</p> <p>’790 Patent: Claim 3</p>	<p>“operate on packets whose outermost header is a [second/third], different protocol header”</p>	<p><u>’683 Patent:</u> 1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.</p> <p><u>’683 Patent Prosecution History (IMPL_GRP.B_00005310-640):</u> Jun. 3, 2013 Preliminary Amendment and Remarks, pp. 3-7.</p> <p><u>’104 Patent Prosecution History (IMPL_GRP.B_00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks, p.10.</p> <p><u>Reexamination Control No. 90/010,356 (’163 Patent):</u> Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 14-15, 21-22, 28.</p> <p><u>Reexamination Control No. 95/000,659 (’163 Patent):</u> Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 8, 17-19, 19-21, 29-31. Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 4-5, 7-13, 18-20, 32, 37.</p> <p><u>Reexamination Control No. 95/000,660:</u> Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 7-9, 17-19, 21-22, 25-26, 35. Feb. 21, 2013 Comments to December 21, 2012 Action Closing Prosecution (IMPL046677-709), pp. 2-3, 5, 8-9, 11-15, 21-22, 26-28.</p>

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			<p><i>Implicit v. NetScout Systems</i>, No. 2:18-cv-53-JRG (E.D. Tex.): “execute a [second/third], different protocol” construed as “operate on packets whose outermost header is a [second/third], different protocol header”</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>
11	<p>“execute a Transmission Control Protocol (TCP) to process packets having a TCP format”</p> <p>“execute TCP to process at least one of the subsequent packets having a TCP format”</p> <p>'104 Patent: Claims 1, 10, 16</p>	<p>“operate on one or more packets whose outermost header is a TCP header”</p>	<p><u>'683 Patent:</u> 1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.</p> <p><u>'683 Patent Prosecution History (IMPL GRP.B 00005310-640):</u> Jun. 3, 2013 Preliminary Amendment and Remarks, pp. 3-7.</p> <p><u>'104 Patent Prosecution History (IMPL GRP.B 00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks, p.10.</p> <p><u>Reexamination Control No. 90/010,356 ('163 Patent):</u> Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 14-15, 21-22, 28.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 8, 17-19, 19-21, 29-31. Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 4-5, 7-13, 18-20, 32, 37.</p>

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			<p><u>Reexamination Control No. 95/000,660:</u> Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 7-9, 17-19, 21-22, 25-26, 35.</p> <p><u>Reexamination Control No. 95/000,660:</u> Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 7-9, 17-19, 21-22, 25-26, 35. Feb. 21, 2013 Comments to December 21, 2012 Action Closing Prosecution (IMPL046677-709), pp. 2-3, 5, 8-9, 11-15, 21-22, 26-28.</p> <p><i>Implicit v. NetScout Systems</i>, No. 2:18-cv-53-JRG (E.D. Tex.): “execute a Transmission Control Protocol (TCP)” construed as “operate on one or more packets whose outermost header is a TCP header</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>
12	<p>“execute a second protocol to process packets having a format other than the TCP format, wherein the second protocol is an application-level protocol”</p> <p>’104 Patent: Claim 3</p>	<p>“execute a second protocol to operate on packets whose outermost header is other than a TCP header, wherein the second protocol is an application-level protocol”</p>	<p><u>’683 Patent:</u> 1:24-2:3; 2:42-53; 3:39-67; 4:45-5:5; 5:32-58; 6:28-31; 6:46-54; 11:29-33; 14:4-17.</p> <p><u>’683 Patent Prosecution History (IMPL_GRP.B_00005310-640):</u> Jun. 3, 2013 Preliminary Amendment and Remarks, pp. 3-7.</p> <p><u>’104 Patent Prosecution History (IMPL_GRP.B_00003200-3478):</u> Feb. 22, 2016 Preliminary Amendment and Remarks, p.10.</p> <p>Reexamination Control No. 90/010,356 (’163 Patent):</p>

## Exhibit B: Defendants' Proposed Constructions and Evidence

#	Claim Term	Defendants' Proposed Construction	Defendants' Supporting Evidence
			<p>Sep. 1, 2009 Amendment and Response to Office Action Mailed July 7, 2009 (IMPL 067099-139), pp. 14-15, 21-22, 28.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u>  Jun. 4, 2012 Patent Owner Response to April 3, 2012 Office Action (IMPL046526-75), pp. 8, 17-19, 19-21, 29-31.  Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 4-5, 7-13, 18-20, 32, 37.</p> <p><u>Reexamination Control No. 95/000,660:</u>  Jul. 10, 2012 Patent Owner Response to May 10, 2012 Office Action (IMPL115399-445), pp. 7-9, 17-19, 21-22, 25-26, 35.  Feb. 21, 2013 Comments to December 21, 2012 Action Closing Prosecution (IMPL046677-709), pp. 2-3, 5, 8-9, 11-15, 21-22, 26-28.</p> <p><i>Implicit v. NetScout Systems</i>, No. 2:18-cv-53-JRG (E.D. Tex.): “execute a second protocol to process packets having a format other than the TCP, wherein the second protocol is an application-level protocol” construed as “execute a second protocol to operate on packets whose outermost header is other than a TCP header, wherein the second protocol is an application-level protocol”</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>
14A	“session associated with a [transport layer/different] protocol”	“information that is specific to a software routine for executing a	<u>'683 Patent</u> 2:24-25; 3:1-12; 3:43-67; 5:32-6:3; 6:22-41; 6:61-67; 7:1-11; 9:3-24; 11:20-12:12; 12:13-28; Figs. 6, 12, 13.

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	'683 Patent: Claim 10	specific protocol, that can be used for all packets of the message, and that is not information related to an overall path"	<p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 17-18.</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>
14B	<p>"another session associated with a different protocol that is executed, wherein the different protocol corresponds to the different format"</p> <p>'683 Patent: Claim 10</p>	See above for construction of "session associated with a [transport layer/different] protocol," to the extent further construction is necessary, plain and ordinary meaning.	See above.
15	<p>"a TCP session associated with [the received] one or more [received] packets"</p> <p>"a single TCP session"</p> <p>'790 Patent: Claim 20</p> <p>'780 Patent: Claim 13</p>	"information that is specific to a software routine for executing a TCP, that can be used for all packets of the message, and that is not information related to an overall path."	<p><u>'683 Patent</u> 2:24-25; 3:1-12; 3:43-67; 5:32-6:3; 6:22-41; 6:61-67; 7:1-11; 9:3-24; 11:20-12:12; 12:13-28; Figs. 6, 12, 13.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 17-18</p> <p>All documents and evidence cited by Implicit.</p>



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			All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.
16	<p>"sessions corresponding to [various/respective] ones of the sequence of [two or more] routines"</p> <p>'790 Patent, Claims 5, 12, 17</p> <p>'104 Patent: Claim 5, 12</p>	<p>"information that is specific to a software routine for executing a specific protocol that can be used for all packets of the message, and that is not information related to an overall path"</p>	<p><u>'683 Patent</u> 2:24-25; 3:1-12; 3:43-67; 5:32-6:3; 6:22-41; 6:61-67; 7:1-11; 9:3-24; 11:20-12:12; 12:13-28; Figs. 6, 12, 13.</p> <p><u>Reexamination Control No. 95/000,659 ('163 Patent):</u> Dec. 3, 2012 Patent Owner Comments to October 1, 2012 Action Closing Prosecution (IMPL046578-630), pp. 2, 17-18</p> <p>All documents and evidence cited by Implicit.</p> <p>All briefs, orders and statements from prior proceedings involving the patents at issue, and evidence cited therein. Any prosecution histories or reexamination proceedings for the patents at issue or patents in related families.</p>